

County _____

Page No. _____

It is a class A misdemeanor punishable, notwithstanding the provisions of section 560.021, RSMo, to the contrary, for a term of imprisonment not to exceed one year in the county jail or a fine not to exceed ten thousand dollars or both, for anyone to sign any referendum petition with any name other than his or her own, or knowingly to sign his or her name more than once for the same measure for the same election, or to sign a petition when such person knows he or she is not a registered voter.

PETITION FOR REFERENDUM

To the Honorable John P. (Jay) Ashcroft, Secretary of State for the state of Missouri:

We, the undersigned, registered voters of the state of Missouri and _____ County (or city of St. Louis), respectfully order that Senate Substitute Number 2 for Senate Bill No. 19, entitled "An Act To amend chapter 290, RSMo, by adding thereto one new section relating to labor organizations, with penalty provisions," passed by the 99th general assembly of the state of Missouri, at the first regular session of the 99th general assembly, shall be referred to the voters of the State of Missouri, for their approval or rejection, at the general election to be held on the 6th day of November, 2018, unless the general assembly shall designate another date, and each for himself or herself says: I have personally signed this petition; I am a registered voter of the state of Missouri and _____ County (or city of St. Louis); my registered voting address and name of the city, town or village in which I live are correctly written after my name.

OFFICIAL BALLOT TITLE CERTIFIED BY THE SECRETARY OF STATE

CIRCULATOR'S AFFIDAVIT

STATE OF MISSOURI,

COUNTY OF _____

I, _____, being first duly sworn, say (print or type names of signers)
(Petition Circulator's Printed Name)

NAME (Signature)	DATE SIGNED	REGISTERED VOTING ADDRESS (Street) (City, Town or Village)	Zip Code	Congr. Dist.	NAME (Printed or Typed)
1.					
2.					
3.					
4.					
5.					
6.					
7.					
8.					
9.					
10.					

signed this page of the foregoing petition, and each of them signed his or her name thereto in my presence; I believe that each has stated his or her name, registered voting address and city, town or village correctly, and that each signer is a registered voter of the state of Missouri and _____ County.

FURTHERMORE, I HEREBY SWEAR OR AFFIRM UNDER PENALTY OF PERJURY THAT ALL STATEMENTS MADE BY ME ARE TRUE AND CORRECT AND THAT I HAVE NEVER BEEN CONVICTED OF, FOUND GUILTY OF, OR PLED GUILTY TO ANY OFFENSE INVOLVING FORGERY.

I am at least 18 years of age. I do ___ do not ___ (check one) expect to be paid for circulating this petition. If paid, list the payer

Signature of Affiant (Person obtaining signatures)

Street address of Affiant

Printed Name of Affiant

City, State and Zip Code of Affiant

Subscribed and sworn to before me this _____ day of _____, A.D. _____.

Signature of Notary

Notary Public (Seal)

Address of Notary

My commission expires:

RECEIVED
JUL 17 2017
MO. SECRETARY OF STATE

"Be it resolved by the people of the state of Missouri that the Constitution be amended:"

The annual franchise tax will be amended as follows:

147.010. 1. For the transitional year defined in subsection 4 of this section and each taxable year beginning on or after January 1, 1980, but before January 1, 2000, every corporation organized pursuant to or subject to chapter 351 or pursuant to any other law of this state shall, in addition to all other fees and taxes now required or paid, pay an annual franchise tax to the state of Missouri equal to one-twentieth of one percent of the par value of its outstanding shares and surplus if its outstanding shares and surplus exceed two hundred thousand dollars, or if the outstanding shares of such corporation or any part thereof consist of shares without par value, then, in that event, for the purpose contained in this section, such shares shall be considered as having a value of five dollars per share unless the actual value of such shares exceeds five dollars per share, in which case the tax shall be levied and collected on the actual value and the surplus if the actual value and the surplus exceed two hundred thousand dollars. If such corporation employs a part of its outstanding shares in business in another state or country, then such corporation shall pay an annual franchise tax equal to one-twentieth of one percent of its outstanding shares and surplus employed in this state if its outstanding shares and surplus employed in this state exceed two hundred thousand dollars, and for the purposes of sections 147.010 to 147.120, such corporation shall be deemed to have employed in this state that proportion of its entire outstanding shares and surplus that its property and assets employed in this state bears to all its property and assets wherever located. A foreign corporation engaged in business in this state, whether pursuant to a certificate of authority issued pursuant to chapter 351 or not, shall be subject to this section. Any corporation whose outstanding shares and surplus as calculated in this subsection does not exceed two hundred thousand dollars shall state that fact on the annual report form prescribed by the secretary of state. For all taxable years beginning on or after January 1, 2000, but ending before December 31, 2009, the annual franchise tax shall be equal to one-thirtieth of one percent of the corporation's outstanding shares and surplus if the outstanding shares and surplus exceed one million dollars. Any corporation whose outstanding shares and surplus do not exceed one million dollars shall state that fact on the annual report form prescribed by the director of revenue. For taxable years beginning on or after January 1, 2010, but before December 31, 2011, the annual franchise tax shall be equal to one-thirtieth of one percent of the corporation's outstanding shares and surplus if the outstanding shares and surplus exceed ten million dollars. For all taxable years beginning on or after January 1, 2010, but before December 31, 2015, any corporation whose outstanding shares and surplus do not exceed ten million dollars shall state that fact on the annual report form prescribed by the director of revenue. For all taxable years beginning on or after January 1, 2011, but before December 31, 2015, a corporation's annual tax liability under this chapter shall not exceed the amount of annual franchise tax liability of such corporation for the taxable year ending on or before December 31, 2010. If the corporation had no annual franchise tax liability under this chapter for the taxable year ending on or before December 31, 2010, because such corporation was not in existence or doing business in Missouri, the annual franchise tax for the first taxable year in which such corporation exists shall be determined by applying the applicable rate of tax provided under the provisions of this subsection to the corporation's outstanding shares and surplus if the outstanding shares and surplus exceed ten million dollars, but in no case shall such corporation's tax liability for any subsequent taxable year exceed the amount of annual franchise tax liability of such corporation for the first full taxable year such corporation was in existence or doing business in Missouri. For taxable years beginning on or after January 1, 2012, the annual franchise tax shall be equal to the percentage rate prescribed in this subsection for the corresponding taxable year of the corporation's outstanding shares and surplus if the outstanding shares and surplus exceed the corresponding minimum threshold amount prescribed as follows:

(1) For tax year 2012, the rate shall be one-thirty-seventh of one percent and the threshold amount shall be ten million dollars;

(2) For tax year 2013, the rate shall be one-fiftieth of one percent and the threshold amount shall be ten million dollars;

(3) For tax year 2014, the rate shall be one-seventy-fifth of one percent and the threshold amount shall be ten million dollars;

(4) For tax year 2015, the rate shall be one-hundred-fiftieth of one percent and the threshold amount shall be ten million dollars;

{(5) For tax years beginning on or after January 1, 2016, no annual franchise tax shall be imposed under this section.}

(5) For the tax year 2019, the rate shall be one percent and the threshold amount shall be ten million dollars and shall remain at that rate unless changed through a ballot of the citizens of the state of Missouri. The first quarterly payment will be due on April 15th of 2019.

(6) The annual franchise tax will be to provide revenue for the stressed portions of the Missouri public-school system including pre-kindergarten, elementary and secondary education. The revenue generated from the franchise tax will go to a dedicated fund that will be distributed as listed in 161.020 6. The Missouri budget for elementary and secondary education will not be replaced by this bill. The elementary and secondary education budgets will remain at least equal to a percent of the total budget from general revenue in future years as during the year 2015. Failure of the legislatures to fulfill this obligation will require the shortfall to be filled with funds from the Elected Officials, & General Assembly budget

(7) All subsections and all clauses of this statute, and the phrases, and the words within them, are severable. If any of the provisions within them are found by a court of competent jurisdiction to be unconstitutional or unconstitutionally enacted or invalid, the remainder of those provisions shall remain valid and the application of such provisions shall not be affected thereby

Department of elementary and secondary education created--superintendents of schools for deaf and for blind students--appointment.

161.020. 1. There is hereby created a department of elementary and secondary education headed by a state board of education as provided in Article IX, Constitution of Missouri, and chapter 161 and others. The state board shall appoint a commissioner of education as the chief administrative officer of the department.

2. The department of education, chapter 161 and others, is abolished and its powers, duties, personnel and property are transferred as provided in this act*.

3. The division of public schools of the department of education, chapter 161 and others, is abolished and its powers, duties, personnel and property, with exceptions specified elsewhere in this act*, are transferred by type I transfer to the department of elementary and secondary education.

4. The Missouri School for the Deaf, chapter 178 and others, and the Missouri School for the Blind, chapter 178 and others, are transferred to the department of elementary and secondary education by a type I transfer. The commissioner of education shall appoint superintendents for these schools and members of the advisory boards, provided in chapter 178 and others.

5. The commissioner of education that is installed by the state department of health and senior services will set up a separate department to distribute the funds from the franchise tax and shall appoint and shall fix the powers, duties, and compensation that will be responsible for distribution of funds as set out in this fund for distribution of revenue to pre-kindergarten, elementary and secondary education. That director will use those funds to finance changes to Chapter 161, RSMo and Chapter 191, RSMo by this act. The director will act as a liaison between this fund and the state appropriated education expenses to prevent duplication and co-ordinate services. Balances left over will be used to enhance other sections of Chapter 161 as the director sees need.

6. The proceeds from the franchise tax shall be distributed in this order of priority as funds are available:

(1) 161.098. 2 -for bonus pay to retain teachers in distressed areas.

(2) 161.213. section 1 (1), (2), and (6) -will supplement funds for expanding Pre-K and furnishing notebooks. The franchise tax will be only for expanding this section and not for budgeted funds already targeted to this section.

(3) 191.803 section 1, (a) and section 5. -Added benefits for poverty areas, to be added as time and funds are available. Legislature will revisit on sunset date.

(4) 161.650. section 1, (1), (2), (3) may require start-up costs, but should show a long-term savings. Available funds to target start up costs.

(5) Any surplus funds will be transferred to the general budget for state department of health and senior services.

Retention and recruitment of teachers, report required.

161.098. 1. Beginning December 15, 1999, and annually by that date in each following year, the state board of education shall report to the general assembly on the retention and recruitment of teachers in the state's schools. The report shall include, but not be limited to, information on the numbers of teachers entering and leaving employment in the public schools of the state, analysis of the issues affecting teacher recruitment, including the need for identifying African-American and other minority students, including males, who show potential or interest in becoming a teacher, recruiting such students as prospective teachers, and methods for providing financial aid to such students, and suggestions for meeting predicted needs of numbers of teachers and in areas of certification.

2. All school districts with a 15% or more poverty level by using proceeds from the franchise tax will:

(a) Receive a 5% pay raise for teachers financed by the proceeds of the franchise tax. Current pay levels will be maintained by the district with inflation adjusted raises.

(b) After 3 years teaching in the same school district, another 5% will be added to the teacher's pay. The raises will be maintained by the franchise tax in future years as long as current pay levels for each school district are maintained adjusted for inflation.

(c) The increased pay will be given as a bonus at the end of the school year. This will be effective the first full school year after implementation of franchise tax.

(L. 1998 S.B. 781 § 161.220)

High-quality early childhood education standards required—rule making authority.

161.213. 1. The department of elementary and secondary education shall develop standards for high-quality early childhood education no later than June 30, 2007. The standards shall be applicable to all public school prekindergarten programs that receive Title I or Missouri preschool project funds.

(1) All school districts to provide Universal Pre-K education for those who will become age 4 by the end of the calendar year. Because of the lengthy preparations, implementation of the Pre-K programs will target completion of all affected districts will be in a four-year period ending 2023.. Districts with the highest poverty level will be implemented first. All children meeting age and residence will be eligible for Universal Pre-K. When Pre-K becomes available, all eligible children will be required to attend Pre-K.

(2) For non-public schools, each student will receive at least 2 ½ hours of instruction. The instructor will be provided by the state and will be travel from one location to another or hold multiple instructions at the same location. This will allow one teacher to attend 2 or more schools to utilize their time for maximum efforts. Computer and on-line teaching aids will be utilized to allow individual learning. Notebooks with learning programs will be allowed to be taken home.

2. Such standards shall include, but not be limited to, the following principles:

(1) Access for all children whose parents or guardians choose to participate;

(2) Focus on cognitive, language, physical, and social/emotional development;

(3) Assessment of needs of children and their families;

(4) Highly qualified and properly certified teachers; and

(5) Delivery of comprehensive services supported by strong and accessible technical assistance and professional development.

(6) Will provide, beginning in the school year of 2019-2020, notebooks or equivalent with learning programs to all children enrolled in public education in all districts having a poverty rate of 10% or more. Every three years the students will receive a current notebook through 6th grade. Discarded notebooks will be used for replacement of lost, stolen or dysfunctional notebooks. Notebooks will be distributed to those beginning in Pre-K. This franchise tax will only pay for notebooks in those districts that have levels of poverty above 15%.

3. In developing such standards, the department shall involve representatives of the business community, parents as teachers, head start, early childhood start, early childhood special education, Missouri preschool project, first steps, Title I preschools, school district personnel, private providers, and faith-based providers.

4. Unless otherwise prohibited by federal law, public school districts shall not be prohibited from charging tuition and related charges for early childhood education programs. Children living in poverty conditions (one hundred eighty-five percent of the federal poverty level) will not be charged.

5. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2006, shall be invalid and void.

(L. 2006 H.B. 1511)

191.803. Boards of education to establish breakfast program — rules — waiver, procedure. — 1. By July 1, 1993, the board of education of each school in this state in which thirty-five percent or more of the students enrolled in the school on October first of the preceding school year were eligible for free or reduced price meals shall establish a school breakfast program.

(a) In school districts with levels of poverty above 15%, schools will provide student care to be available for all students from Pre-K through 6th grade starting at 6 AM for before school and after school care until 6 PM. Breakfast, lunch and an evening meal or snack will be provided at no cost to all students in these areas regardless of income.

2. The department of elementary and secondary education may promulgate rules and regulations necessary for implementation of sections 191.800 to 191.815 in compliance with federal guidelines pursuant to the provisions of 42 U.S.C. 1773.

3. A school shall receive a waiver from the requirements of this section if the school board of the school district by majority vote adopts a resolution requesting a waiver.

4. A school district requesting a waiver must file in writing notification that it has adopted a resolution which excuses the district from the requirements of this section. Such writing shall be filed with the Missouri department of elementary and secondary education. Such a waiver shall be valid for a period of three years.

5. All school districts with a poverty level of 15% or more will have 12-month schooling for Pre-K through 6th grade levels.

(a) All schools from pre-K through senior high will have an arts program, a music program, technical courses and will have chess classes.

(b) In schools with more than 10% minority groups, courses offered will include Bi-lingual and bi-culture classes and one year of secondary level history classes including:

1. one term, Native American,
2. one term, Hispanic,
3. one term European and Asian History
4. one term Black History.

(c) School districts with a poverty level of 15% or more will have staff available to allow after school, weekend and vacation times so that students 6th grade levels and up will have supervised play areas

at school areas. Computer lab and inside access will be available for those with disabilities and on days unfit for outside activity.

Termination 9-01-20

(Section **167.031**, RSMo, states that any parent, guardian or other person having custody or control of a child between the ages of seven (7) and the compulsory attendance age for the district, must ensure that the child is enrolled in and regularly attends public, private, parochial, home school or a combination of schools for the full term of the school year.

The term "compulsory attendance age for the district" shall mean seventeen (17) years of age or having successfully completed sixteen (16) credits towards high school graduation in all other cases (Amish students ruled by Supreme Court to only have 8 years of classes).

Children between the ages of five (5) and seven (7) are not required to be enrolled in school. As Pre-K becomes available, enrollment will be required of all who will be 4 at the end of calendar year. However, if they are enrolled in a public school their parent, guardian or custodian must ensure that they regularly attend.)

- (1) All schools, including; Amish, religion associated, homeschooling or other 'for profit', will meet the Missouri test regime, (§160.518, RSMo) which compels the State Board of Education and the Department of Elementary and Secondary Education to annually measure "by grade level a student's knowledge of academic subjects.
- (2) Any school that does not provide students that can pass the requirements of §160.518, RSMo for three consecutive years will not be considered filling the obligation of an educational school. Either the school will shut down or the state will take over the administration of the school. The failing school will not fulfil the obligation of being a school that allows a parent or guardian to fulfil the 'The Compulsory Attendance Law':

Department to identify and adopt violence prevention program, district to administer--state board to adopt violence prevention program--duties--administered how--funding.

161.650. 1. The department of elementary and secondary education shall identify and adopt an existing program or programs of educational instruction regarding violence prevention to be administered by public school districts pursuant to subsection 2 of this section, and which shall include, but shall not be limited to, instructing students of the negative consequences, both to the individual and to society at large, of membership in or association with criminal street gangs or participation in criminal street gang activity, as those phrases are defined in section 578.421, and shall include related training for school district employees directly responsible for the education of students concerning violence prevention and early identification of and intervention in violent behavior. The state board of education shall adopt such program or programs by rule as approved for use in Missouri public schools. The program or programs of instruction shall encourage nonviolent conflict resolution of problems facing youth; present alternative constructive activities for the students; encourage community participation in program instruction, including but not limited to parents and law enforcement officials; and shall be administered as appropriate for different grade levels and shall not be offered for academic credit.

(1) Except in extreme instances (court ordered or security threats), no police officer will be on campus with a firearm. Police officers performing community service will be unarmed. In case of police making an arrest on a school campus, no handcuffs or restraints will be used unless there is danger to others.

(2) SRO (School Resource Officers) will be phased out in all schools. They will be replaced by trained counselors and staff. Each school will have fully trained personnel to address any issues that students may have. Rural areas with smaller school system may share personnel.

(3) To address school suspensions and expulsions and encourage high school graduation, the following procedures will be enacted in all schools:

- (a) School administrators will develop a structured process to assess whether a student who makes a threat is likely to carry out that threat. Each school will use "restorative justice practices" instead of or in addition to suspensions or expulsions. If a threat is deemed unlikely, the student will be counseled and/or disciplined, but not suspended.
- (b) All teachers will receive training in Positive Behavioral Support (PBS). If surplus monies are available, funds will be allotted to the Missouri Schoolwide Positive Behavior Support (MO SW-PBS).
- (c) Beginning immediately as funds are available, a target date of three years having all schools at maximum level for MO SW-PBS objectives.

- (3) .Any teacher recommending multiple expulsions will receive "My Teacher Partner Program (MPT)" training. All teachers will receive training in behavior management skills. Teachers with minority students will receive culture training for different ethnic groups
- (4) .No student will be segregated for disciplinary reasons without a teacher to keep them current in their education.

2. All public school districts within this state with the approval of the district's board of education may administer the program or programs of student instruction adopted pursuant to subsection 1 of this section to students within the district starting at the kindergarten level and every year thereafter through the twelfth-grade level.

3. Any district adopting and providing a program of instruction pursuant to this section shall be entitled to receive state aid pursuant to section 163.031. If such aid is determined by the department to be insufficient to implement any program or programs adopted by a district pursuant to this section:

(1) The department may fund the program or programs adopted pursuant to this section or pursuant to subsection 2 of section 160.530, or both, after securing any funding available from alternative sources; and

(2) School districts may fund the program or programs from funds received pursuant to subsection 1 of section 160.530.

4. No rule or portion of a rule promulgated pursuant to this section shall become effective unless it has been promulgated pursuant to chapter 536.

(L. 1996 H.B. 1301 & 1298 § 3, A.L. 2000 S.B. 944, A.L. 2010 H.B. 1543)